

**MICHAEL DUPREE, JR.  
DEPOSITION TRANSCRIPT**

UNITED STATES DISTRICT OF MICHIGAN  
EASTERN DISTRICT OF MICHIGAN

MICHAEL DUPREE, JR., a Colorado  
Resident, MICHAEL DUPREE, SR.,  
and DARLENE DUPREE, his parents,  
Residents of the Country Austria,  
Plaintiffs,

-vs- Case No.: 2:10-CV-12094-LPZ-MKM

CRANBROOK EDUCATIONAL COMMUNITY,  
JOHN J. WINTER, and CHARLES SHAW,  
Defendants.

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The deposition of MICHAEL DUPREE,  
JR. was taken before Patricia A. Everett, CSR-4602, a  
Certified Shorthand Reporter and Notary Public in and  
for Oakland County, Michigan, (acting in St. Clair  
County, Michigan), at 24825 Little Mack, St. Clair  
Shores, Michigan, on the 10th day of January, 2011,  
commencing at 10:05 a.m., pursuant to the applicable  
Court Rules.

1           depending upon the time of the year the rent fluctuates.

2   Q.   And your current lease, how long is the lease for?

3   A.   Current lease goes from the first of January -- or,  
4       actually, sorry, the 21st of December until the 20th of  
5       March.

6   Q.   And your rent for this month is how much?

7   A.   Seventeen hundred and fifty dollars.

8   Q.   What is your date of birth?

9   A.   Date of birth is August 27th of 1985.

10   Q.   Have you ever been a party to any other lawsuit, either  
11       as a plaintiff or a defendant?

12   A.   Not to my knowledge.

13   Q.   Are you currently enrolled in any school?

14   A.   Yes, I am.

15   Q.   What school?

16   A.   The University of Denver's business department, business  
17       program.

18   Q.   And you're currently taking classes for this term?

19   A.   Yes, at Daniels College of Business.

20   Q.   And when did you start attending the University of  
21       Denver?

22   A.   Started attending the University of Denver about a year  
23       and a half ago, so that would be September of 2008. No,  
24       wait, two and a half years ago, September of 2008.

25   Q.   And what is your status class wise there?

1 A. A senior.

2 Q. And what's your anticipated graduation date?

3 A. Between March and June of this year.

4 Q. Had you ever had your deposition taken before?

5 A. No, sir.

6 Q. What, if anything, have you done to prepare for this  
7 deposition? And I don't want to know anything you might  
8 have talked to Chris about.

9 A. Okay. I flew out here from Denver, showed up today.

10 Q. And when did you arrive from Denver?

11 A. I arrived from Denver on a Southwest flight yesterday at  
12 approximately about three p.m., I think.

13 Q. Okay. And did you look at anything to prepare for your  
14 deposition?

15 A. Like what?

16 Q. Anything.

17 A. Yes, I also pre-read my mother's deposition.

18 Q. When did you read your mother's deposition?

19 A. I briefly skimmed over it in the car on the way over  
20 here this morning.

21 Q. What else, if anything, have you looked at?

22 A. Looked at some of the electronic discovery that we were  
23 provided.

24 Q. And what in particular did you look at?

25 A. I'm not sure.

1 right?

2 A. Yes, sir.

3 Q. And you had a very brief discussion with your mom?

4 A. Yes, sir.

5 Q. Separate and apart from whatever discussions that you've  
6 had with Mr. Sciotti, have you discussed this litigation  
7 with anybody else?

8 A. No, I have not.

9 Q. Now, you -- the first college you went to after you were  
10 dismissed from Cranbrook would have been Purdue;  
11 correct?

12 A. Yes, sir, that's correct.

13 Q. And you would have been enrolled at Purdue in the fall  
14 of 2004; right?

15 A. Yes, sir, that's correct.

16 Q. How long did you attend Purdue?

17 A. Approximately a month and a half.

18 Q. And why did you stop attending Purdue?

19 A. I had severe illness.

20 Q. Okay. What was your illness?

21 A. It started off as just, like, strep throat and kind of  
22 progressed from there. I'm not sure what the final  
23 diagnosis or whatever you want to call it was, but it  
24 was just very severe. I was on a lot of different  
25 antibiotics. It didn't go away initially. They had to

1 try different antibiotics and stuff and it just  
2 seriously impaired my ability to successfully complete  
3 classes that quarter.

4 Q. Did you treat with a doctor?

5 A. Yes, sir, I did.

6 Q. Do you remember the name of your doctor?

7 A. No, sir, I don't.

8 Q. The doctor you treated with, was that through Purdue?

9 A. Actually, I believe that I saw a doctor both at home and  
10 at Purdue relating to it, but I can't -- I don't  
11 remember specifically. I mean, this was a while ago.

12 Q. All right. Let's focus for a moment on the doctor you  
13 saw at Purdue. Was that a doctor through the Purdue  
14 school?

15 A. I don't recall.

16 Q. And you saw a doctor at home?

17 A. I believe so. I mean, this is very difficult to  
18 remember specifically.

19 Q. Well, do you remember back in 2004 whether or not you  
20 had a family doctor?

21 A. No, I don't. I do remember that I had just recently  
22 turned eighteen and that my old doctor could no longer  
23 see me because of the fact that I was no longer a minor.  
24 So I don't believe at that time that I had a regular  
25 doctor that I would regularly visit.

1 Q. Now, I gather from what you're suggesting that you  
2 withdrew from Purdue because of your illness?

3 A. Yes, sir, that's correct.

4 Q. And did you fill out any paperwork with Purdue to  
5 indicate that you were withdrawing as a result of your  
6 illness?

7 A. Whatever paperwork was necessary, Purdue agreed with me  
8 and allowed me to withdraw. All my classes were in good  
9 standing when I withdrew.

10 Q. What courses were you taking at that time?

11 A. I don't recall. But I was enrolled in multiple classes,  
12 and I wasn't failing any of them or anything like that.

13 Q. After you withdrew were you under any medical care for  
14 your illness?

15 A. Yes, until I got better.

16 Q. And when did you get better?

17 A. I don't know exactly. Probably another month or two.  
18 It was not a -- you know, it wasn't a quick thing.

19 Q. And while you were ill after you withdrew from Purdue  
20 where were you living?

21 A. I don't recall the entire -- everywhere that I lived,  
22 but I mean, it was -- after withdrawing I went back to  
23 Michigan. I believe I spent a few days there and then I  
24 ended up moving out to California.

25 Q. So let me make sure I understand the chronology here.

1           So you spent a few days home after withdrawing from  
2           Purdue. Was that living with your parents?

3    A.    I don't recall if I was living at my parents' house or  
4           living at one of their other houses, but I was in  
5           Michigan for a couple days.

6    Q.    And then you moved out to California?

7    A.    Yes, sir, that's correct.

8    Q.    Where in California, Mr. Dupree, did you move to?

9    A.    Initially we went out to Silicon Valley. That was kind  
10           of the starting place. That was the goal, was let's  
11           move to Silicon Valley and see if we can start something  
12           there. So we ended up in Livermore initially.

13   Q.    Let's stop there. I noticed you used the word "we".  
14           Who would -- who would be we?

15   A.    Me and two of my good friends from Purdue, all three of  
16           us moved out to California in roughly the same period of  
17           time. Me and one of my friends went together and then  
18           my second friend followed up.

19   Q.    What were your friends' names?

20   A.    Ryan Anderson and Michael Lowe, L-O-W-E.

21   Q.    Now, you said initially you went to Silicon Valley, and  
22           you identified the specific community as being  
23           Livermore, and that was your goal to start something.  
24           What were you planning on starting?

25   A.    Well, the goal was to move to California and to --



1 Q. Sure. You've attended six colleges since you were  
2 dismissed from Cranbrook. The six colleges being Las  
3 Positas, Cabrillo, Cal State University at Sacramento --  
4 now I'm losing track. University of California at Santa  
5 Barbara and University of Denver, and Purdue?

6 A. Yes, sir, that's correct.

7 Q. And you're currently enrolled full-time at University of  
8 Denver, with an anticipated graduation date of either  
9 March or June of this year?

10 A. Between March and June.

11 Q. Okay. But you are full-time enrolled at that school?

12 A. Yes, sir.

13 Q. Okay. Before being full-time enrolled at the University  
14 of Denver, what other schools, if any, were you enrolled  
15 full-time at?

16 A. All of them. Oh, no, sorry, I take that back.  
17 Everywhere except for Las Positas, where I only took two  
18 or three, maybe four classes, and they weren't all at  
19 the same time.

20 Q. And the only job you had in California was working for  
21 the public safety department at University of California  
22 at Santa Barbara for about a month and a half; correct?

23 A. Police department.

24 Q. When you say police department, the University of  
25 California at Santa Barbara calls their public safety

1           their police department?

2    A.    No.    They have a police department on campus who also  
3           entertains some public but not all public safety issues.

4    Q.    Who was your boss there?

5    A.    I don't recall.

6    Q.    And did you work there while you were enrolled in the  
7           school?

8    A.    Yes, sir, I did.

9    Q.    Now, after you were dismissed from Cranbrook in June of  
10          2004, did you obtain your GED?

11   A.    Yes, I did.

12   Q.    Do you remember, Mr. Dupree, when you obtained your GED?

13   A.    No, I don't.

14   Q.    Was it, if you recall, during the summer of 2004?

15   A.    I believe so.

16   Q.    How many years did you attend Cranbrook?

17   A.    Four.

18   Q.    And the grades would have been nine, ten, eleven and  
19          twelve?

20   A.    Yes, sir, that's correct.   My entire high school career.

21   Q.    And your brother Matthew also attended Cranbrook;  
22          correct?

23   A.    Yes.

24   Q.    And he graduated from Cranbrook?

25   A.    Yes.

1       allegations about you having in your possession a pipe?

2     A.   Yes, I do remember that. It wasn't specifically a  
3       marijuana pipe at the time.

4     Q.   What was it?

5     A.   It was a pipe.

6     Q.   And do you remember telling the official at Cranbrook  
7       that one of your fellow students gave you that pipe?

8     A.   Yes, I do.

9     Q.   Who was that student?

10    A.   I don't recall.

11    Q.   Do you remember telling anybody at Cranbrook that you  
12       smoked marijuana?

13    A.   No, I don't.

14    Q.   Did you ever smoke marijuana while you were enrolled at  
15       Cranbrook?

16    A.   Yes, I did.

17    Q.   How was it that Cranbrook found out that you had in  
18       possession this pipe?

19    A.   I'm not sure of that to this day. Maybe it was a setup.

20    Q.   Okay. When you say maybe it was a setup, what's your  
21       basis for that speculation?

22    A.   Your question. Specifically how did they know that I  
23       had the pipe? I don't know. I went to school in the  
24       morning, I came out of my first class, set my backpack  
25       down and John Winter came over and said, You come with

1 me. And I went with him. He said, No, bring your bag,  
2 too. And I brought my bag, and he says, Tell me if  
3 there's anything in your bag. I'm going to search it.

4 Q. And did he search your bag?

5 A. No, he did not.

6 Q. Did you open the bag and show him the pipe?

7 A. Yes, I did.

8 Q. So you don't dispute the fact that you had in your  
9 possession a pipe; correct?

10 A. No, I don't.

11 Q. And --

12 A. Or, yes, that's correct, I guess.

13 Q. All right. And so the pipe -- your -- what you told  
14 John Winter was the pipe was given to you by another  
15 student?

16 A. That's correct.

17 Q. Did you ever tell Mr. Winter the identity of the  
18 student?

19 A. No, I did not.

20 Q. And did you tell Mr. Winter why you had this pipe from  
21 this student?

22 A. I don't recall.

23 Q. And what did Mr. Winter do with the pipe?

24 A. I don't want to speculate.

25 Q. So you don't know?

1 A. I don't know.

2 Q. Okay. Did you eventually have to meet with Mr. Winter  
3 along with one of your parents pertaining to the pipe?

4 A. Yeah, immediately. He telephoned my mother and she came  
5 directly up to the school.

6 Q. Same day?

7 A. Yes, sir, within the hour.

8 Q. You said you briefly reviewed your mom's deposition?

9 A. Very briefly.

10 Q. Do you remember seeing anything in the deposition about  
11 the meeting that took place, where you and your mom  
12 attended with Mr. Winter about the pipe?

13 A. Not specifically, no.

14 Q. Were you aware that your mom testified that during that  
15 meeting you walked out of the meeting?

16 A. That is -- or, yes, I am aware of that fact.

17 Q. And did you walk out of that meeting?

18 A. Yes, I did.

19 Q. Do you know after the meeting with John Winter that you  
20 walked out of whether or not there was a conduct review  
21 board hearing?

22 A. No, I don't.

23 Q. But you knew at some point that Cranbrook put you on  
24 probation as a result of you having in your possession  
25 the pipe?

1 just because it's very tiring and you're in a plane full  
2 of a bunch of people.

3 Other than that, I mean, I've had a  
4 couple ear infections, I've had just basic stuff. I  
5 haven't had any -- no major hospitalizations, no cancer,  
6 no nothing like that.

7 Q. All right. So to take your testimony a little bit  
8 further, then, I'm assuming since June of 2004 up until  
9 today you have not been hospitalized for any reason?

10 A. Right.

11 Q. All right. Now, you said you've traveled a lot. You've  
12 already described to us the travels you did in December  
13 of 2010.

14 A. Yes.

15 Q. Between June of 2004 and December of 2010, have you  
16 traveled outside the United States for any extended  
17 period of time?

18 A. Yes, sir.

19 Q. How many times?

20 A. I've been to over fifty countries. I spent over a month  
21 in more than one of them.

22 Q. All right. Let's break this down, then. So after you  
23 left Purdue in the fall of 2004, in 2004, between the  
24 time you left Purdue up until January 1 of 2005, did you  
25 travel outside the country?

1 Q. Did you fill out an application?

2 A. Yes, sir, it was hand-submitted by Arlyce Seibert to the  
3 president of Babson or whoever the director of Babson  
4 is. He's a Cranbrook alumni.

5 Q. And were you accepted or rejected?

6 A. I was whatever they call it, where they say we'll watch  
7 you a little longer. And then I was rejected.

8 Q. Do you remember when it was that you were rejected?

9 A. No, I don't.

10 Q. Do you know why you were rejected by Babson?

11 A. No, I don't.

12 Q. Did you ever apply to Florida State University?

13 A. Yes, I did.

14 Q. And you would have applied to Florida State while you  
15 were enrolled at Cranbrook; correct?

16 A. I'm not sure. I believe I've applied multiple times.

17 Q. Have you applied to Florida State since you were  
18 dismissed from Cranbrook?

19 A. I'm not sure. There's so many applications at schools.  
20 It's just kind of all --

21 Q. Blurs together, sort of?

22 A. Very easily.

23 Q. Now, why did you select Florida State?

24 A. My father.

25 Q. Were you ever accepted to Florida State?

1 A. I don't recall.

2 Q. Did you ever apply to Grand Valley State?

3 A. I believe so, yes.

4 Q. And why did you apply to Grand Valley State?

5 A. My mother wanted me to go there.

6 Q. And were you ever accepted to Grand Valley State?

7 A. I'm not sure. I believe I applied to there prior to  
8 being dismissed from Cranbrook, though.

9 Q. And you also applied to Purdue before you were dismissed  
10 from Cranbrook; correct?

11 A. I don't recall. I know that originally I wasn't  
12 planning to go there, even after I had been rejected  
13 from Babson.

14 Q. Well, do you remember what colleges you applied for  
15 while you were enrolled at Cranbrook?

16 A. The three we're talking about. Other than that, let me  
17 think here, Babson, Purdue, Grand Valley State. I don't  
18 recall, sorry.

19 Q. Why did you apply to Purdue?

20 A. My college counselor suggested it as a backup. I don't  
21 think I even initially applied there. I think I applied  
22 there after being rejected from Babson, but I'm -- this,  
23 again, this is very long ago.

24 Q. And when you say your college counselor suggested it as  
25 backup, who would that have been?



1 A. Rencher.

2 Q. Charlene Rencher?

3 A. I believe so, yes. I'm probably going to get one of  
4 these names wrong, though.

5 Q. That's okay.

6 A. I haven't seen any of these people in five years and  
7 I've had a dozen college counselors since then.

8 Q. Have there been any colleges you have not applied to  
9 because you obtained a GED?

10 A. Yes.

11 Q. What colleges?

12 A. I don't recall the specifics. That was one of the first  
13 criteria we had to look at, because unfortunately I  
14 wasn't issued a diploma.

15 Q. So you can't tell us what colleges you did not apply to  
16 because of the GED?

17 A. No. But I do specifically remember when we were looking  
18 through colleges making, you know, a chart that showed,  
19 you know, which ones required the diploma and which ones  
20 don't and immediately, you know, disregarding the ones  
21 that required a diploma.

22 Q. All right. Now, you applied to a number of schools in  
23 the University of California school system; correct?

24 A. Yes, sir.

25 Q. And did any of those schools indicate that you would not

1 be accepted because you had a GED?

2 A. I don't recall.

3 Q. Did you ever apply to George Washington University?

4 A. Sounds familiar.

5 Q. Well, does that mean you did apply?

6 A. Yes, I believe so. Yes, I did.

7 Q. Do you remember when you applied?

8 A. No, sir, I don't.

9 Q. Do you know what happened to your application?

10 A. No, sir, I don't.

11 MR. LINDEN: Let's mark this Exhibit  
12 3, please.

13 (At 11:38 a.m. Deposition Exhibit  
14 No. 3 marked for identification)

15 MR. LINDEN: Let the record reflect  
16 that Mr. Dupree has been handed what has been marked by  
17 the court reporter as Exhibit 3, which for purposes of  
18 identification is a June 19, 2008 letter from George  
19 Washington University addressed to Mr. Dupree.

20 BY MR. LINDEN, CONTINUING:

21 Q. After you've had a chance to read that document, let me  
22 know, Mr. Dupree, and I'll have a handful of questions  
23 to ask you.

24 A. Okay. (Witness complying). I've read it.

25 Q. Have you seen this document before?

1 A. I'm unsure. I don't recall.

2 Q. Do you recall if this is a document you produced in this  
3 case?

4 A. I didn't produce any of the documents in this case.

5 Q. You have not provided any documents to your attorney to  
6 have them produced in this case?

7 A. Not to my knowledge.

8 Q. Now, this letter indicates that you were rejected by  
9 George Washington University; correct?

10 A. Yes, sir.

11 Q. And does this refresh your memory that you actually  
12 applied to George Washington University?

13 A. Yes, sir, it does.

14 Q. And do you now recall applying to George Washington  
15 University sometime in 2008?

16 A. Yes, sir.

17 Q. And the letter that you have in front of you, Mr.  
18 Dupree, indicates a Vienna address; correct?

19 A. Yes, sir, that's the correct address of my parents in  
20 Austria.

21 Q. And do you know why the rejection letter was being sent  
22 to your parents' address at the time?

23 A. That was my permanent address.

24 Q. That was your permanent address in 2008?

25 A. Yeah, that's my permanent address today.

1 Q. How long has it been your permanent address?

2 A. Since my family moved from Michigan to Austria, at which  
3 time my home moved from Michigan to Austria.

4 Q. And when did your parents move to Vienna?

5 A. I'm not sure. Four or five years ago.

6 Q. Do you know why you were rejected by George Washington  
7 University?

8 A. No, sir, I don't.

9 Q. Do you recall ever applying to Rollins College?

10 A. Yes, sir, I do.

11 Q. Do you recall, Mr. Dupree, when you applied to Rollins?

12 A. No, sir, I don't.

13 Q. By the way, why did you apply to George Washington  
14 University, if you remember?

15 A. I don't remember. Sorry.

16 Q. Do you know why you applied to Rollins College?

17 A. I don't recall. Sorry.

18 Q. Okay.

19 MR. LINDEN: Let's mark this Exhibit  
20 4.

21 (At 11:41 a.m. Deposition Exhibit  
22 No. 4 marked for identification)

23 BY MR. LINDEN, CONTINUING:

24 Q. All right. I'm going to hand you now, Mr. Dupree,  
25 what's been marked by the court reporter as Exhibit 4,

1           which is a letter for purposes of identification from  
2           Rollins College addressed to you at the Vienna address,  
3           dated June 2, 2008. Take whatever time you need to read  
4           it and I'll have, again, a few questions for you about  
5           this document.

6    A.   (Witness complying). Okay. I've read it.

7    Q.   Have you seen this document before?

8    A.   I'm unsure.

9    Q.   Okay. But you would agree this letter indicates that  
10       Rollins College was rejecting your application in June  
11       of 2008?

12   A.   Yes, sir, that's correct.

13   Q.   Do you know why Rollins College rejected your  
14       application?

15   A.   I would assume because I don't have a high school  
16       diploma.

17   Q.   Well, it's interesting that you say that you assume  
18       that. Is there anything in that letter that says you're  
19       being rejected because you don't have a high school  
20       diploma?

21   A.   No, but that's still what I think.

22   Q.   Well, let's talk some more about that. Did anybody at  
23       Rollins College tell you that your application was being  
24       rejected because you did not have a high school diploma?

25   A.   I don't recall.

1 Q. Did you ever talk to anybody in the admissions  
2 department at Rollins College?

3 A. I don't recall.

4 Q. Okay. So you would agree that you can't recall anybody  
5 at Rollins College ever telling you that they were  
6 rejecting your application because you did not have a  
7 high school diploma; correct?

8 A. Correct.

9 Q. Okay. Did you ever apply to American University?

10 A. I'm not sure.

11 MR. LINDEN: Let's mark this Exhibit  
12 5.

13 (At 11:43 a.m. Deposition Exhibit  
14 No. 5 marked for identification)

15 BY MR. LINDEN, CONTINUING:

16 Q. I'm now going to put in front of you, Mr. Dupree, what's  
17 been marked Exhibit 5 by the court reporter for purposes  
18 of identification. It's a letter addressed to you at  
19 the Vienna address from American University dated June  
20 11, 2008. Take whatever time you need to read this and,  
21 again, I'll have some questions for you about it.

22 A. Okay. I've read it.

23 Q. Have you seen this before?

24 A. I'm not sure.

25 Q. Okay. You would agree this letter indicates to you that

1           your application to attend American University was being  
2           rejected; correct?

3     A.    Yes, sir.

4     Q.    Do you remember if you talked to anybody in the  
5           admissions department at American University?

6     A.    I don't, no.

7     Q.    Do you know why your application was being rejected by  
8           American University?

9     A.    Again, I assumed because I didn't have diploma.

10    Q.    Well, let's explore a little bit further this assumption  
11           you want to make. What's your basis for that  
12           assumption?

13    A.    The basis for that assumption is that I have a  
14           disadvantage when applying to a school from a GED as  
15           opposed to a diploma and that colleges accept more  
16           students with diplomas than they do GEDs. Your chances  
17           of getting accepted are higher if you have a GED --  
18           rather, a diploma than if you have a GED.

19    Q.    Does this letter from American University indicate that  
20           your application was being rejected because you have a  
21           GED?

22    A.    No, sir, it does not.

23    Q.    Did anybody at American University tell you your  
24           application was being rejected because you have a GED?

25    A.    I don't recall.

1 Q. So you've had a chance to finish reading page two of  
2 Exhibit 7; right?

3 A. Yes, sir.

4 Q. Does it refresh your memory as to why you were  
5 interested?

6 A. Yes, sir.

7 Q. And what was the reason?

8 A. The primary reason was that the school I was currently  
9 attending, which was University of California, Santa  
10 Barbara, only offered a business management economics  
11 program, which is really like an accounting  
12 concentration. And I'm not really as interested in  
13 business in the capacity of the numbers as I am the  
14 entrepreneurialship and stuff like that.

15 So I was trying to progress from a  
16 business management/economics/accounting concentration  
17 program that I was currently enrolled in into a business  
18 management administration program, such as the one I'm  
19 currently enrolled in. I was trying to find a more  
20 suitable business program for myself. Also a few other  
21 less important details, such as I was trying to find a  
22 smaller school, you know, a few things like that.

23 Q. Do you know whatever happened to your application at the  
24 University of San Diego?

25 A. It was denied, rejected.



1 but you couldn't recall all the schools you might have  
2 been interested in attending; correct?

3 A. Yes, sir, that's correct.

4 Q. All right. If you would, Mr. Dupree, why don't you turn  
5 to the very last page of this document?

6 A. Yes, sir.

7 Q. And you see that this reflects that the campus and the  
8 University of California system that you were interested  
9 in attending would have been the campuses in Berkley,  
10 Los Angeles, San Diego, Santa Barbara and Santa Cruz.  
11 Do you see where I'm referring to?

12 A. Yes, sir, I do.

13 Q. Does this refresh your memory that those were the  
14 schools that you were interested in attending in the  
15 University of California system?

16 A. Yes, sir, at least those schools.

17 Q. Do you know whatever happened to your application to the  
18 Berkley campus?

19 A. I'm not sure, no.

20 Q. Do you know whatever happened to your application with  
21 respect to the Los Angeles campus?

22 A. Yes, I was rejected.

23 Q. Did you receive a letter of rejection from the Los  
24 Angeles campus?

25 A. I don't recall.

1 Q. Did you speak to anybody in admissions who told you why  
2 you were being rejected?

3 A. No, sir.

4 Q. Now, what about San Diego? What happened to your  
5 application for the San Diego campus, if you know?

6 A. I don't recall on that one.

7 Q. The Santa Barbara campus you were accepted to; correct?

8 A. I don't believe on this application. Because this is in  
9 '06. I don't believe I was accepted to Santa Barbara  
10 until, oh, this is, yeah -- that's right, 12/1/06, so,  
11 yeah, I was accepted in '07 then.

12 Q. So you were accepted to University of California at  
13 Santa Barbara; correct?

14 A. I'm not sure if this is the application that was  
15 accepted or not. One of my applications was accepted,  
16 yes.

17 Q. All right. But we would agree -- so the record is  
18 clear, at some point you were accepted by the University  
19 of California at Santa Barbara and you attended that  
20 school?

21 A. Yes, sir, that's correct.

22 Q. Okay.

23 A. I'm just not sure if this is -- it's so hard to remember  
24 what's what.

25 Q. All right. And so what about this Santa Cruz campus?

1 have a Bates CB000248?

2 A. Yes, sir.

3 Q. Is this also your writing?

4 A. Yes, sir.

5 Q. Now, I want to come back to something that we talked  
6 about briefly earlier today. You seem to be suggesting  
7 that it's your belief that there were colleges you did  
8 not apply to because you have a GED as opposed to a  
9 diploma. Do you recall that?

10 A. Yes, sir.

11 Q. But you can't identify any college you did not apply to  
12 because of a GED; correct?

13 A. Not off the top of my head.

14 Q. How did you find out you were being dismissed from  
15 Cranbrook?

16 A. I think the time I found out is when my father and I  
17 were both in Winter's office and Winter told my  
18 father -- I remember this specifically, actually. He  
19 said, You can either withdraw Michael now or we're going  
20 to dismiss him. And then --

21 Q. Is this is something John Winter told you?

22 A. Something he told my father; I was just in the room.

23 Q. In your presence?

24 A. Yes.

25 Q. Do you remember when that was?

1 Michael Dupree, and he needs to search their car, too.  
2 And this was someone I didn't even know so it was very  
3 embarrassing to have him going up to other students that  
4 I go to school with and saying, hey, don't worry, we're  
5 just looking for Michael Dupree's drugs, essentially.

6 Then after they didn't find any  
7 drugs, because obviously there weren't any, they  
8 searched everything very well, both Pickett and Winter,  
9 the rest of the students were dismissed and I was asked  
10 to join them in Winter's office. I don't remember  
11 exactly what the meeting was about then -- it wasn't  
12 about computer passwords, it was about drugs, but there  
13 was no real -- I don't know what the result or anything  
14 of it was. I didn't have any drugs. There was no --  
15 so, yeah.

16 Q. Who were you in the car with when this happened?

17 A. I don't remember.

18 Q. Do you know a student by the name of Ali?

19 A. Yes, sir.

20 Q. What's Ali's last name?

21 A. Mahmood.

22 Q. Now, you indicated earlier in the deposition that during  
23 your senior year at Cranbrook you smoked marijuana;  
24 right?

25 A. Yes, sir.

1 Q. Did you use any other drugs, illegal drugs while you  
2 were enrolled at Cranbrook as a senior?

3 A. Alcohol.

4 Q. Alcohol. Well, you were a minor; right?

5 A. Yes, sir.

6 Q. Did you ever sell drugs to any students while you were  
7 at Cranbrook?

8 A. I don't recall.

9 Q. Did you ever give anybody marijuana while you were a  
10 student at Cranbrook?

11 A. Yes, I did.

12 Q. Okay. Who did you give marijuana to?

13 A. I don't recall.

14 Q. Now, with respect to alcohol, you were a minor. You  
15 didn't turn eighteen until after leaving Cranbrook;  
16 correct?

17 A. I think I might have been eighteen my senior year.

18 Q. Did you ever get any alcohol for any minors during your  
19 senior year at Cranbrook?

20 A. No, sir, and you can't buy alcohol once you're eighteen.  
21 You have to be twenty-one. So my entire time I was at  
22 Cranbrook I could not purchase alcohol, give alcohol.

23 Q. Did you ever have a false identification?

24 A. No, sir.

25 Q. But you said you drank while you were enrolled at

1 A. I don't believe so, no.

2 Q. All right. So let's focus, if we could -- I think you  
3 used the term "the computer ordeal"?

4 A. Yep.

5 Q. Okay. Let's talk about the computer ordeal.

6 A. Okay. So -- yeah, I'm sorry, I didn't finish my story  
7 on Winter and Pickett. So the next time I saw Winter  
8 and Pickett I believe it was the same day. This is  
9 prior to my science class. Then about three-quarters of  
10 the way through my science class, I'm pulled out of  
11 class and told to go to Winter and Pickett's office --  
12 or, I'm sorry, Winter's office, where Pickett was also.

13 At this point I go into the office  
14 and I sit down and I'm asked to sit and wait with the  
15 secretaries. At this point the secretaries kind of tell  
16 me that Randy Bruder, you know, had gotten in trouble  
17 for sharing because -- not for sharing computer  
18 passwords, for hacking into faculty accounts or  
19 something like that. And that he had told Winter that I  
20 had nothing to do with it and he just felt really bad  
21 and felt really sorry about it. And that's just what  
22 they had heard from Randy while he was sitting out there  
23 ten minutes before. So they were just telling me what  
24 he'd told them.

25 Q. This is a secretary telling you this?

1 A. Yes, sir.

2 Q. Who brought that up?

3 A. Mr. Winter did. He asked me directly if I had shared my  
4 computer password with Randy in the beginning of the  
5 year and I said, yes, I have, because I had.

6 Q. Did Winter explain to you how he -- what prompted him to  
7 ask you that question?

8 A. There was no explanation necessary. He did not know and  
9 there was no explanation necessary. It was the first  
10 thing he asked. I came in and he said -- you know, I  
11 considered John Winter to be a friend, you know, kind of  
12 a guardian, if you will, someone who I requested and was  
13 kind of like my mentor and I trusted him. I didn't  
14 think that I needed to be careful what I was saying or  
15 ever, you know, be dishonest. He asked me a simple  
16 question, I gave him a simple, honest answer, and then  
17 he -- yeah.

18 Q. And you said this meeting lasted about a half an hour?

19 A. I'm not sure. It was not a long meeting.

20 Q. So what did you do after that meeting?

21 A. I don't remember. I think I was told to go home.  
22 Either that or my parents were called or -- I don't know  
23 exactly.

24 Q. Okay. So putting aside that you can't recall exactly  
25 what you did, did you then again meet with Winter either

1 BY MR. LINDEN, CONTINUING:

2 Q. Mr. Dupree, the court reporter has handed you what has  
3 been marked Exhibit 12, which for purposes of  
4 identification is a June 1, 2004 letter addressed to  
5 your parents from John Winter, and it's Bates stamped  
6 CB00024. After you've read this letter, I'll have some  
7 questions for you.

8 A. (Witness complying). I'm ready.

9 Q. Have you seen this document before?

10 A. No, sir.

11 Q. Were you living with your parents at the beginning of  
12 June of 2004?

13 A. Yes and no. I mean, this was my last month of senior  
14 year of school. I wasn't exactly at home studying every  
15 night for six hours.

16 Q. Well, my question wasn't whether or not you were home  
17 each night studying for six hours. Were you living with  
18 your parents in June of 2004?

19 A. Yes, I was.

20 Q. Okay. And their primary residence at the time was the  
21 Martell address; is that correct?

22 A. Yes, sir, that's correct.

23 Q. And so you've never seen this letter before, Exhibit 12?

24 A. No, sir.

25 Q. You haven't even seen this since this lawsuit was filed?



1 explained to your parents why your transcript noted  
2 withdrawal?

3 A. I've read that it was -- no, I don't know why.

4 Q. Well, you were in the midst of saying that you've  
5 read --

6 A. I've read that Mr. Shaw thought -- I think it was in my  
7 mother's disposition --

8 Q. Deposition?

9 A. Deposition, sorry.

10 Q. That's okay.

11 A. That I think she had said -- or, that she had said that  
12 Shaw had said that it was for my better that it was  
13 inaccurate. That it would be better that it showed  
14 dismissed than withdrawn.

15 MR. LINDEN: Let's take a break for  
16 a second.

17 (Recess from 1:42 p.m. to 1:53 p.m.)

18 BY MR. LINDEN, CONTINUING:

19 Q. Mr. Dupree, were you ever aware of any kids getting  
20 picked up in your neighborhood for using drugs?

21 A. Yeah, Andrew Minor and a few of his friends.

22 Q. Do you remember when that was?

23 A. No. End of the school year at some point.

24 Q. End of your senior school year?

25 A. I believe so, yes. Not, like, the last day, but the

1 last semester.

2 Q. Can you identify any college that rejected you because  
3 you have a GED as opposed to a diploma?

4 A. I don't believe I got into USD because I didn't have a  
5 diploma.

6 Q. Well, putting aside the fact that you believe that, do  
7 you -- can you point to either a document or somebody  
8 who told you you did not get in because you have a GED  
9 as opposed to a diploma?

10 A. I couldn't get any further reason from anyone as to why  
11 I didn't get in.

12 Q. Well, did anybody -- and when you say USD, just so the  
13 record is clear on that, we're talking about the  
14 University of San Diego; correct?

15 A. Yes, sir.

16 Q. Did any -- did you ever get a letter from the University  
17 of San Diego saying that you were being rejected because  
18 you had a GED and not a diploma?

19 A. No explanation was ever given.

20 Q. Was any explanation given to you verbally as to why you  
21 were rejected?

22 A. No, sir.

23 Q. So it's still your belief that's why you got rejected  
24 because you have a GED?

25 A. Right.

1 Q. Now, coming back to the computer situation at Cranbrook,  
2 did anybody at Cranbrook ever threaten you with criminal  
3 prosecution with respect to that?

4 A. Yes, sir.

5 Q. Who threatened you?

6 A. Either John Winter or Mr. Pickett or both of them. I  
7 don't remember who actually said that, you know, the  
8 actual words, but they were both in the room and they  
9 were both talking about how what I was doing could be a  
10 crime. And then it came out if I didn't cooperate I  
11 would be prosecuted.

12 Q. All right. So you can't remember who said it, it was  
13 either Pickett or Winter?

14 A. Or both. Because they were both speaking about it at  
15 the same time, basically finishing each other's  
16 sentences almost.

17 Q. Okay.

18 A. And I don't remember exactly who was doing the  
19 threatening in particular, but ....

20 Q. All right. One of them or both of them opined that this  
21 was a violation of federal law?

22 A. Yes.

23 Q. And that unless you cooperated with regard to their  
24 investigation you could be prosecuted?

25 A. Right.

1 My advisor and advocate who tried to speak on my behalf  
2 was told to shut up, and after that things didn't get  
3 much better, either.

4 Q. Are you familiar with the Cranbrook community handbook?

5 A. Yes, sir.

6 Q. And did you ever receive a copy of that community  
7 handbook during your senior year?

8 A. I was familiar with it. I don't know if I received a  
9 copy or ....

10 Q. And do you know if the community handbook spells out a  
11 specific procedure for how the conduct review board is  
12 supposed to be conducted?

13 A. No, sir, I'm not sure if it does or not. I was just  
14 citing from my previous experience with more than one  
15 conduct review board.

16 Q. Are you aware of any document at Cranbrook that spells  
17 out a specific procedure for how the conduct review  
18 board is supposed to be held?

19 A. Not that I'm aware of, no.

20 Q. Are you aware of any document at Cranbrook that spells  
21 out that you're to be guaranteed a specific  
22 representative to represent you at the conduct review  
23 board?

24 A. No, sir, but it's common -- well, yeah, yeah, in  
25 practice there's no document that states it, no.

1 Q. All right.

2 A. Not that I'm aware of. I'm sure there is one.

3 Q. Are you aware of any document from Cranbrook that spells  
4 out that you're supposed to be entitled to a certain  
5 specific amount of time to prepare for a hearing before  
6 the conduct review board?

7 A. No, I just feel that that's part of due process in a  
8 contract. When you sign a contract with somebody,  
9 they're obligated to give you -- you know, to let you  
10 appeal things, to give you a fair hearing, if they say  
11 that you get a hearing, et cetera.

12 Q. Let's talk about this expectation you've just described.

13 A. Yes, sir.

14 Q. What's the source of that expectation?

15 A. I signed a contract. I expect -- you know, when I sign  
16 a contract with an organization like a school, I expect  
17 it's a professional relationship and that things will be  
18 treated professionally. Having Winter put his hands  
19 over his ears and screaming, having my advocate being  
20 told to sit down and shut up are not professional.

21 Q. Let's talk about the contract that was signed. Did you  
22 ever sign a contract while you were at Cranbrook?

23 A. No, sir.

24 Q. Now, you're aware that your parents signed an enrollment  
25 agreement for Cranbrook; correct?

1 A. I believe my father did, yes.

2 Q. But you never signed a contract; right?

3 A. I don't believe so, no. I don't think I could. I was  
4 under eighteen.

5 Q. All right. Now, Mr. Dupree, the next thing I want to  
6 talk about with respect to your allegations of claims of  
7 wrongdoing by Cranbrook, you referenced the fact that  
8 it's your belief that Cranbrook designated your  
9 departure as a withdrawal as opposed to a dismissal to  
10 circumvent your ability to appeal?

11 A. That's one of my beliefs. I'm not really sure why they  
12 did it, but, you know, the way I look at it is it's  
13 fraudulent.

14 Q. Okay. But regardless, you just indicated you don't know  
15 why they characterized it as a withdrawal as opposed to  
16 a denial?

17 A. I was told --

18 Q. Dismissal.

19 A. I was told because it was supposed to look better for  
20 me.

21 Q. Okay. And who told you that?

22 A. My mother told me that that's what Shaw had told her.

23 Q. And when did your mom tell you that?

24 A. When this was all going on, end of May of 2004.

25 Q. Okay.

1           your testimony, you're saying that because the  
2           transcript indicated you withdrew, that's why you were  
3           denied admission to the University of San Diego; right?

4    A.    It very well could be.

5    Q.    You say could be. That suggests that you're speculating  
6           in that regard; is that correct?

7    A.    Yes, sir.

8    Q.    And this college counselor you had, you don't remember  
9           her name; right?

10   A.   No, I don't. Sorry.

11   Q.    When's the last time you had any communication with her?

12   A.    A couple years ago. The company is called College  
13           Connections. I do remember that.

14   Q.    Do you know where they were based out of?

15   A.    No, sorry.

16   Q.    How did you find out about College Connections?

17   A.    I found them on the Internet.

18   Q.    All right. So other than your speculation, you have no  
19           facts to support your belief that you were denied  
20           admission at the University of San Diego because your  
21           transcript indicated that you had withdrawn from  
22           Cranbrook; correct?

23   A.    Correct.

24   Q.    Okay. Other than what we've just gone through; what  
25           else is it that you're claiming Cranbrook did wrong?

1           withdrew; right?

2    A.    Right.

3    Q.    All right. With the repeated sending out of the  
4           transcript, that's been at either your request or your  
5           family request; correct?

6    A.    Correct. And we've repeatedly asked them to correct the  
7           errors and we've repeatedly asked them to correct the  
8           errors on it and they've repeatedly continued to send  
9           out the falsified transcript over and over and over  
10          again.

11   Q.    All right. I appreciate the fact that you wanted to add  
12          something that's not responsive to my question, but  
13          we'll follow up on that.

14   A.    Okay.

15   Q.    Have you provided a written explanation to any of the  
16          institutions that your transcript got sent to that you  
17          contest the fact that the transcript notes that you  
18          withdrew from Cranbrook?

19   A.    I don't recall.

20   Q.    Do you know if anyone acting on your behalf has done  
21          that?

22   A.    I don't know for sure. Potentially, yes.

23   Q.    But you don't know that for certain, do you?

24   A.    No.

25   Q.    I have no more questions. Thank you for your time.